



Order Filed on June 1, 2022
by Clerk,
U.S. Bankruptcy Court
District of New Jersey

WEBBER MCGILL LLC

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**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

In re:

Cynthia B. Spitznagel,

Debtor.

Chapter 13

Case No. 21-19604 (SLM)

**CONSENT ORDER FOR LOSS MITIGATION IN FURTHERANCE OF
CHAPTER 13 PLAN**

The relief set forth on the following pages, numbered 2-4, is hereby **ORDERED**.

DATED: June 1, 2022

A handwritten signature in cursive script, reading "Stacey L. Meisel".
Honorable Stacey L. Meisel
United States Bankruptcy Judge

Debtor: Cynthia B. Spitznagel
Case No.: 21-19604 (SLM)
Caption of Order: Consent Order for Loss Mitigation in Furtherance of Chapter 13 Plan

WHEREAS, on March 2, 2022, Cynthia B. Spitznagel (the “Debtor”) filed a First Modified Chapter 13 Plan [Docket No. 18] (the “Plan”); and

WHEREAS, on March 15, 2022, US Bank Trust National Association, not in its Individual Capacity by Solely as Owner Trustee for VRMTG Asset Trust by Fay Servicing, LLC (“U.S. Bank”), which holds a mortgage on the Debtor’s residence located at 25 Bedford Road in Summit, New Jersey, filed an objection [Docket No. 24] to the Plan; and

WHEREAS, the Debtor and U.S. Bank resolved U.S. Bank’s objection to the Plan through a Consent Order entered by the Court on April 7, 2022 [Docket No. 27], which calls for the Debtor to pursue a loan modification through the Court’s loss mitigation program; and

WHEREAS, on April 14, 2022, this Court entered an Order [Docket No. 29] (the “Confirmation Order”) confirming the Debtor’s Plan, which Confirmation Order calls for the Debtor to pursue a loan modification with U.S. Bank; and

WHEREAS, the Debtor and U.S. Bank desire to pursue loss mitigation through the Court’s loss mitigation portal.

NOW, THEREFORE, the Court finding that the relief set forth herein is in the best interests of the estate and its creditors; and that good and sufficient cause exists for the granting of the relief set forth herein, it is hereby **ORDERED**

1. The Debtor and U.S. Bank are directed to participate in *Loss Mitigation and are bound by the Court’s Loss Mitigation Program and Procedures* (“LMP”).

2. The Loss Mitigation process shall terminate on September 30, 2022, unless an *Application for Extension or Early Termination of the Loss Mitigation Period* is filed under Section IX.B of the LMP, or otherwise ordered by the Court.

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3. The Debtor must make monthly adequate protection payments to U.S. Bank during the loss mitigation period as set forth in the Plan and Confirmation Order.

4. If a relief from stay motion pursuant to section 362(d) is filed during the loss mitigation period, the Court may condition the stay upon compliance by the Debtor with the fulfillment of the Debtor's obligations under this Order. If the Debtor fails to comply with the loss mitigation process and this Order, U.S. Bank may apply to terminate the Order as specified in Section IX.B of the LMP and to obtain relief from the stay.

5. Extension or early termination of the loss mitigation process may be requested as specified in Section IX.B of the LMP.

6. If this case is dismissed during the loss mitigation period, loss mitigation is terminated effective on the date of the order of dismissal.

7. The parties shall utilize the Loss Mitigation Portal during the loss mitigation period.

8. Within 14 days of the date of this Order, U.S. Bank shall ensure that it is registered on the loss mitigation portal and that all of its initial loss mitigation document requirements are available on the portal.

9. Within 35 days of the date of this Order, the Debtor shall upload and submit through the loss mitigation portal a completed Creditor's Initial Package.

10. Within 14 days of the Debtor's submission of the Creditor's Initial Package, U.S. Bank shall acknowledge receipt of same and designate a single point of contact for Debtor's review.

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The undersigned hereby consent to the form
and entry of the within Order.

WEBBER MCGILL LLC
Attorneys for Debtor

By: 
Douglas J. McGill

MCCALLA RAYMER LEIBERT PIERCE, LLC
*Attorneys for U.S. Bank Trust National Association,
Not in Its Individual Capacity But Solely as Owner
Trustee for VRMTG Asset Trust by Pay Servicing,
LLC*

By:  5.5.22
Phillip Raymond